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7 UNITED STATES BANKRUPTCY COURT
8 DISTRICT OF NEVADA

9 In re:

Case No. BK-S-11-10391-BAM
Chapter 11

10 JOHN E. HARNEY, IV. and AIMEE M.
11 HARNEY,

Date: (OST)

Time: (OST)

Estimated Time: 5 minutes

12 Debtors.

13 AFFIDAVIT OF TY E. KEHOE, ESQ. IN SUPPORT OF EX PARTE APPLICATION
14 FOR ORDER SHORTENING TIME ON MOTION FOR RELIEF FROM THE
AUTOMATIC STAY

15 STATE OF NEVADA)
16) ss.
17 COUNTY OF CLARK)

18 TY E. KEHOE, ESQ., first being duly sworn, hereby swears, deposes and states as
19 follows:

20 The following facts are personally known to me, and if called to testify thereto, I could
21 and would do so, under oath.

22 I am the attorney of record for Martin Keough ("Keough"), and make this Affidavit in
23 support of the Ex Parte Application for Order Shortening Time on Motion for Relief from the
24 Automatic Stay ("Motion").

25 The Order Shortening Time is requested for the following reasons:

- 26
- 27 a. Debtor has been in Bankruptcy for over one year and has not made a
28 single payment to Keough during that time, even though Debtor has been

1 collecting \$1,000 per month from the Real Property rental. Additionally,
2 the Debtor has not paid the taxes on the Real Property, and upon
3 information and belief has recently permitted the insurance to lapse.

4
5 b. The regular hearing date for the Motion is April 3, 2012. However, there
6 is a hearing scheduled herein on March 20, 2012 for consideration of
7 Debtor's Amended Proposed Plan.


8 c. Keough believes that it is possible that Debtor's Amended Proposed Plan
9 will not be confirmed on March 20th, or that the hearing will again be
10 continued. Therefore, Keough suggests that it is appropriate for relief
11 from the automatic stay to be granted to permit him to commence the
12 process of recovering his Real Property.

13
14 d. The Amended Proposed Plan calls for surrender of the Real Property to
15 Keough in any case, and thus Keough suggests it is reasonable for relief
16 from stay to be granted as soon as possible.

17
18 e. It is suggested that the Court and the parties would be benefited by
19 having the hearing on the Motion at the same time as the March 20th
20 hearing, rather than needing to have a second hearing two weeks later.

21 I declare under penalty of perjury under the law of the State of Nevada that the foregoing
22 is true and correct.

23 DATED this 1st day of March, 2012. KEHOE & ASSOCIATES

24
25 
26 Ty E. Kehoe, Esq.